

January 21, 2004

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: Ex Parte Filing and Response to NCTA's January 7 ex parte filing in CS Docket
No. 98-120¹

Dear Ms. Dortch:

I am writing to clarify some factual inaccuracies contained in a letter submitted by the National Cable & Telecommunications Association on January 7, 2004.

In November of last year, Walter Liss, President of the ABC Owned Television Station Group, wrote to the Commission to describe the multicast offerings of ABC owned station KFSN-TV in Fresno, California. At that time, KFSN had been multicasting enhanced local TV service for more than a year. In his letter, Mr. Liss advised the Commission that the multicasting effort ABC pioneered in Fresno would soon be extended to the other nine markets in which ABC owns stations.

NCTA's letter incorrectly states that KFSN is the only ABC station currently multicasting. It also questions the quality of the content of any multicasting efforts. I wanted to offer a few clarifications. As of the date of NCTA's letter, eight of ABC's ten owned stations were multicasting. Indeed, several of these stations had conducted their own multicasting experiments prior to last fall, including WTVG in Toledo, Ohio, and WTVD, in Raleigh-Durham. The two remaining ABC owned stations that were not multicasting as of January 7 plan to commence multicasting in the next few months.

I also want to provide a few more examples of the content available on our multicast channels. KFSN, in Fresno, has aired live, new content on its second channel, including full screen election results on Recall Election night in California. WJRT in Flint, Michigan, operates an all-weather channel with live Doppler Radar that will soon include full weather information including a seven day automatically-updated forecast for the entire region. WTVD in Raleigh-Durham, North Carolina, repurposes local Duke and University of North Carolina coaches shows on its third channel (together with news and

¹ Pursuant to Section 1.1206 of the Commission's rules, an original and one copy of this letter are being filed with the Secretary's Office. The proceeding at issue is not restricted and therefore presentations are permitted, but must be disclosed.

other local programming). Several of our stations also show live traffic information and taped local sports specials on their multicast channels. As a general matter, our multicast channels air much more local news, public affairs, and other local programming than otherwise would be aired in the market. This is just a snapshot of our efforts as of today. The ABC owned stations will continue to experiment with and improve our multicast channels, including ideas such as including additional public service announcements as part of our multicast channels. All this content is provided free, over-the-air and should be distinguished from any subscription content; such content is excluded from our proposed definition of primary video.

To further emphasize that ABC's multicasting efforts do not detract from ABC's role as a leader in airing high definition programming, let me note that this year ABC aired the State of the Union address in high definition as our role as the network pool broadcaster for the speech. This is in addition to ABC's other premium high definition programming, including the NBA Finals, the Stanley Cup Finals, and the Academy Awards.

I hope that the FCC finds this clarification to be helpful. Please feel free to contact me for any additional information regarding the ABC Owned Television Station Group's multicasting efforts.

Sincerely,

Susan Fox
Vice President, Government Relations